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IN MEMORIAM  
 PAUL HENRY JOHNSON  
 (1937 - 2006)

November 25, 2008

### VIA E-File

Clerk of Honorable Joseph C. Spero

**Re: Great American Insurance Company v. Penalosa et al.**

BWB&O Client: CHALLENGE FINANCIAL SERVICES, INC.  
 BWB&O File No.: 3522.001  
 Court Case No.: 3:08-CV-04192  
 Subject: Requesting Telephonic Appearance  
 Direct Line: (949) 221-1007

Dear Clerk of Honorable Joseph C. Spero,

I, Jeremy S. Johnson, attorney for Defendant Challenge Financial Services, Inc., request leave to appear before the Honorable Joseph C. Spero via telephone for the Initial Case Management Conference scheduled for December 5, 2008. Our office resides in Southern California. I initially planned to attend in person, but am no longer able to do so. Therefore, I respectfully request this Court allow for the requested telephonic appearance.

Dated: 11/25/08

Very truly yours,

BREMER WHYTE BROWN & O'MEARA LLP

/S/

Jeremy Johnson

